

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 9, 2000

DIVISION ONE

[illegible]

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

DIVISION TWO

[illegible]

The judgment is modified to strike the finding pursuant to section 1203.06, subdivision (a) (a), and, in all other respects, the judgment is affirmed.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Nott, J.

March 9, 2000-Continued

DIVISION TWO (Continued)

B128474 People (Not for Publication)
v.
Rogelio R.

The order under review is affirmed.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Cooper, J.

B131938 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Renee C.

The orders of the juvenile court are hereby affirmed and this matter is remanded to that court for further proceedings consistent with this opinion.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Cooper, J.

B130061 Sebenius (Not for Publication)
v.
Grega

The judgment is reversed. Each party to bear their own costs.

Mallano, J. (Assigned)

We concur: Nott, Acting P.J.
 Cooper, J.

DIVISION TWO (Continued)

B124034 Filet Menu, Inc. (Not for Publication)
 v.
 C.C.L. & G., Incorporated et al.

The judgment is affirmed.

Mallano, J. (Assigned)

We concur: Nott, Acting P.J.
 Cooper, J.

B131417 Bergey (Not for Publication)
 v.
 Bank of America NT & SA et al.

The judgment is reversed. Each party to bear their own costs.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Cooper, J.

B130978 People (Not for Publication)
 v.
 Morris

The judgment is affirmed.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Nott, J.

March 9, 2000-Continued

DIVISION TWO (Continued)

B131389 People (Not for Publication)
v.
Roa

The judgment is affirmed.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Cooper, J.

B131019 People (Not for Publication)
v.
Willis

The Court:

The judgment is affirmed.

Boren, P.J., Cooper, J., Mallano, J. (Assigned)

DIVISION THREE

B131783 People (Not for Publication)
v.
Jones

The judgment is modified to reflect an award of 484 days of actual custody plus 72 days of presentence custody credit based thereon and, as so modified, is affirmed. The abstract of judgment is ordered corrected to reflect conviction of two counts of attempted robbery rather than two counts of robbery, and to reflect one prior serious felony conviction within the meaning of section 667, subdivision (a). The superior court is directed to prepare a new abstract of judgment which reflects these changes.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

March 9, 2000-Continued

DIVISION THREE (Continued)

B134054 People v. Smith (Not for Publication)

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B129369 People (Not for Publication)
v.
Steven H.

The order under review is affirmed.

Croskey, Acting P.J.

We concur: Aldrich, J.
Schneider, J. (Assigned)

B128315 Herman Guy (Not for Publication)
v.
Oakwood Schools, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B127095 Los Angeles County (Not for Publication)
B127115 v.
 Elaine P. Strachman, Noel Strachman

The judgments are reversed and the cases are remanded to the trial court for further proceedings consistent with the views expressed herein. Costs on appeal to defendants.

Croskey, J.

We concur: Klein, P.J.
 Schneider, J. (Assigned)

B120211 Gary Silverston, etc., et al. (Not for Publication)
B126549 v.
 Century Surety Company, etc., et al.

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, Acting P.J.

We concur: Aldrich, J.
 Schneider, J. (Assigned)

DIVISION FIVE

B126456 People (Not for Publication)
 v.
 Michael B. Wood

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

March 9, 2000-Continued

DIVISION FIVE (Continued)

B130470 People (Not for Publication)
v.
Tony Balver

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B130176 People (Not for Publication)
v.
Clayton L. Williams

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

B135924 People (Not for Publication)
v.
Douglas H.

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

March 9, 2000-Continued

DIVISION FIVE (Continued)

B133356 People (Not for Publication)

V.

Tonya Hewitt

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.

Armstrong, J.

B131624 People (Not for Publication)

V.

Idris Abrar

The judgment of conviction is affirmed.

Weisman, J. (Assigned)

We concur: Turner, P.J.

Grignon, J.

B131208 People (Not for Publication)

V.

Oscar Eagle

The judgment is affirmed.

Weisman, J. (Assigned)

We concur: Turner, P.J.

Grignon, J.

March 9, 2000-Continued

DIVISION FIVE (Continued)

B132562 People (Not for Publication)
v.
James Otis Abbey

The judgment is affirmed.

Weisman, J. (Assigned)

We concur: Turner, P.J.
 Grignon, J.

B129932 People (Not for Publication)
v.
Oscar Amilcar Archila

The judgment is affirmed.

Weisman, J. (Assigned)

We concur: Turner, P.J.
 Grignon, J.

B137300 Tina C. (Not for Publication)
v.
Superior Court, Los Angeles County
(D.C.F.S., r.p.i.)

Petition denied by opinion.

Armstrong, J.

We concur: Turner, P.J.
 Godoy Perez, J.

March 9, 2000-Continued

DIVISION FIVE (Continued)

B132698 People (Not for Publication)
v.
Ernesto Nieves

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Grignon, J.

B128022 People (Not for Publication)
v.
James Edward Cook

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Grignon, J.

B129896 People (Not for Publication)
v.
John S.
In the Matter of JOHN S.

The February 16, 1999, order imposing a maximum term of confinement of six years for attempted robbery as alleged in the sustained petition of November 30, 1998, is modified to impose a maximum term of confinement of three years. The October 30, 1998, order of camp community placement is to remain in full force and effect. The clerk of the superior court is directed to prepare a corrected order consistent with this opinion and to deliver the order to the probation department. The orders are affirmed in all other respects.

Armstrong, J.

We concur: Grignon, Acting P.J.
Godoy Perez, J.

March 9, 2000-Continued

DIVISION FIVE (Continued)

B128022 People (Not for Publication)
v.
James Edward Cook

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Grignon, J.

B135057 People (Not for Publication)
v.
Alan L.
(In Re Alan L.)

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
Godoy Perez, J.

B138565 Amelita Ferrer et al.
v.
Midway Hospital Medical Center et al.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed January 14, 2000) dismissed.

DIVISION SIX

Court convened at 9:00 AM

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

B131331 Bass v. Boudreau

Argument waived, cause submitted.

DIVISION SIX (Continued)

B134955 Del Taco
 v.
 Workers' Compensation Appeals Board

Review:
Presented by Gary Bourassa for petitioner and presentation waived by respondents. Cause submitted.

B128322 Cappello, Foley & Bezek
 v.
 Berti

Merits:
Argued by Kim A. Seefeld for appellants; and by Gary J. Hill and Timothy J. Trager, with permission, for respondents. Cause submitted.

B137191 Abbott
 v.
 Vintage Petroleum, Inc.

Merits:
Argued by C. Duffy Buchanan for appellant and by David W. Tredway for respondent. Cause submitted.

B126150 Cowger
 v.
 Varsity Spirit Corp.

Merits:
Argued by Carol Cure for appellant and by Robert H. Grove for respondent. Cause submitted.

DIVISION SIX (Continued)

B128972 Holland America Bulb Farms, Inc.
 v.
 Park

Merits:

Argued by Robert F. Peterson for appellants and by Timothy J. Trager for respondent. Cause submitted.

B129940 Fernandez
 v.
 Carl Warren & Co.

Merits:

Argued by Harry W.R. Chamberlain for appellant and by John Howard for respondent. Cause submitted.

Court recessed at 11:30 A.M.

Court reconvened at 2:00 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

Each of the following:

B126732 People v. Northup
B127263 People v. Avila
B128956 People v. Beltran
B129782 People v. Ramirez & Munguia
B130107 People v. Bailey
B131530 People v. Kuykendall
B131758 People v. Hall
B132632 People v. Khan
B132864 People v. Landy
B133667 People v. Matheney
B133679 People v. Turner

Argument waived, cause submitted.

DIVISION FIVE (Continued)

B134730 People
 v.
 Andrade

Merits:

Argued by Peter D. Kossoris, deputy district attorney, for appellant.
Michael Grennier appeared for respondent and requested a continuance of oral argument, which the court denied. Cause submitted.

B127723 People
 v.
 Powick

Merits:

Argued by Matthew P. Guasco for appellant and by William V. Ballough, deputy attorney general, for respondent via video conference. Cause submitted.

B129814 People
 v.
 Camacho

Merits:

Argued by Patricia G. Bell for appellant and by Renee Rich, deputy attorney general, for respondent via video conference. Cause submitted.

B128362 People
 v.
 Hughes

Merits:

Argued by Tracy Dressner for appellant and by Margaret Maxwell, deputy attorney general, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B130910 People
 v.
 Diaz

Merits:

Argued by Rudy G. Kraft for appellant and by Kenneth S. Sokoler, deputy attorney general, for respondent via video. Cause submitted.

B110243 People
 v.
 Douglas

Merits:

Argued by Gerald Franklin, deputy district attorney, for appellant and by Peter Dullea, deputy public defender, for respondent. Cause submitted.

B131472 People
 v.
 Warren

Merits:

Argued by Rudy G. Kraft for appellant and by Jennevee de Guzman, deputy attorney general, for respondent via video conference. Cause submitted.

B127887 People
 v.
 Carter

Merits:

Argued by Robert Fiedler for appellant and by Teresa Torreblanca, deputy attorney general, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B133982 People
 v.
 Pico

Merits:

Argued by Rudy G. Kraft for appellant and by Thien Tran, deputy attorney general, for respondent via video conference. Cause submitted.

Gilbert, P.J. left the bench.

B119014 People
 v.
 Cruz

Merits:

Argued by Leonard Chaitin for appellant and by Russell A. Lehman, deputy attorney general, for respondent via video conference. Cause submitted.

Court adjourned at 4:40 P.M.

DIVISION SEVEN

B125865 Famco
 v.
 Frost

Filed order modifying opinion. (No change in the judgment)